

The McKinney-Vento Homeless Education Act

as amended by The No Child Left Behind Act of 2001

selected key points summarized:

Definitions:

The term 'homeless children and youths' means individuals who lack a fixed, regular, and adequate nighttime residence and includes:

- Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement.
- Children and youth who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings.
- Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
- Migratory children who qualify as homeless by above conditions.

The term 'school of origin' refers to the school the student attended when permanently housed, or the school in which they were last enrolled.

The term 'enroll' is defined as attending classes and participating fully in school activities.

Enrollment:

- Districts must immediately enroll students in homeless situations, with or without required documents.
- States and districts must develop, review and revise their policies to remove barriers to the enrollment and retention of children and youth in homeless situations.

Transportation:

- At a parent or guardian's request, homeless students must be provided with transportation to and from their school of origin. For unaccompanied youth, transportation to and from the school of origin must be provided at the liaison's request.
- If the school of temporary residence and school of origin are in the same district, that district must provide transportation. If the student is residing in a district outside the school of origin's district, the two districts must determine how to divide the responsibility and cost of providing transportation, or share equally.

School Selection:

- Districts must, to the extent feasible, keep students in homeless situations in their school of origin, unless it is against the parent or guardian's wishes.
- Students can stay in their school of origin the entire time they are homeless, and until the end of any academic year in which they move into permanent housing.